

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

JEFFERY ADAMS, JR.,

Petitioner,

v.

Sheriff JOHNNY DAUGHERTY and  
JAMES E. DONALD, Commissioner,  
Georgia Department of Corrections,

Respondents.

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CASE NO.: 1:08-CV-174 (WLS)

**ORDER**

Before the Court is a Report and Recommendation from United States Magistrate Judge Claude W. Hicks., Jr., filed November 16, 2009. (Doc. 23). It is recommended that Respondent Commissioner's Motion to Dismiss (Doc. 11) be granted. (Doc. 23 at 1-2).

The Report and Recommendation provided the Parties with ten (10) days to file written objections to the recommendations therein. (*Id.* at 2). The period for objections expired on Friday, November 27, 2009;<sup>1</sup> no objections have been filed to date. (*See* Docket).

Upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 23) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly,

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 6(a)(2), because the actual deadline for filing was Thursday, November 26, 2009, and because that day was the federal holiday of Thanksgiving Day, the deadline was extended to Friday, November 27, 2009. Fed. R. Civ. P. 6(a)(2).

Respondent Commissioner's Motion to Dismiss (Doc. 11) is **GRANTED**, and Petitioner's Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED** as untimely.

**SO ORDERED**, this 2<sup>nd</sup> day of March, 2010.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,  
UNITED STATES DISTRICT COURT**